

Message Text

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12

ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-11 INR-11 LAB-06

NSAE-00 RSC-01 SIL-01 PA-04 PRS-01 USIA-15 DRC-01

/066 W

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R 271008Z AUG 74

FM AMEMBASSY BANGKOK

TO SECSTATE WASHDC 6255

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E.O. 11652: N/A

TAGS: ELAB

SUBJ: LABOR LAW REVISIONS

FOLLOWING TEL SENT ACTION IMMEDIATE BANGKOK FM CHIANG MAI

AUG 27 REPEATED FOR YOUR INFO:

CHIANG MAI 334

E.O. 11652 N/A

TAGS: ELAB

SUBJECT: LABOR LAW REVISIONS

BEGIN UNCLASSIFIED

1. BANGKOK POST REPORTED AUGUST 27 RTG ANNOUNCED MAJOR
REVISIONS OF LABOR LAW AS FOLLOWS:

A. COOLING-OFF PERIOD SHORTENED FROM 50 TO 8 DAYS
FOR WORKERS TO LEGALLY ORGANIZE WORK STOPPAGE.

B. WORKERS IN SAME TRADE BUT LIVING IN DIFFERENT
PROVINCES CAN NOW ORGANIZE INTO SINGLE ASSOCIATION
(I.E. UNION) AND EXISTING ASSOCIATIONS OF WORKERS
IN SAME TRADE (WHICH HERETOFORE WERE RESTRICTED TO
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SINGLE PROVINCE) CAN NOW BE MERGED ON NATIONAL BASIS.

C. OFFICERS OF LABOR ASSOCIATIONS SHALL BE GRANTED UP TO THIRTY DAYS LEAVE ANNUALLY WITH PAY TO ATTEND TO ASSOCIATION BUSINESS. END UNCLASSIFIED.

2. COMMENT: ALTHOUGH FULL TEXT OF RTG ANNOUNCEMENT NOT YET AVAILABLE HERE REVISIONS APPEAR TO BE MAJOR ATTEMPT TO HALT, OR AT LEAST REDUCE SCALE OF, CURRENT WIDESPREAD LABOR UNREST IN THAILAND. B AND C REPRESENT IMPORTANT STEPS FORWARD IN GROWTH OF LOCAL LABOR MOVEMENT AS THEY PERMIT DE FACTO NATIONAL UNIONS (FOR FIRST TIME IN MANY YEARS) AND ALLOW ORGANIZERS, WHO FORMERLY REQUIRED TO ENGAGE IN UNION ACTIVITIES ON OWN TIME AND WITHOUT PAY, TO DO SO DURING REGULAR BUSINESS DAY WITHOUT LOSS OF PAY.

3. NEW PROVISION (PARA 1B) ON NATIONAL ASSOCIATIONS MAY ACCELERATE LABOR ORGANIZING EFFORTS UPCOUNTRY, E.G. IN HOTEL FIELD. INTERESTING TO NOTE IT DOES NOT PROVIDE FOR NATIONAL CONFEDERATIONS OF WORKERS' ASSOCIATIONS, AT LEAST ONE OF WHICH HAS BEEN FORMED OPENLY DESPITE ILLEGAL NATURE.

4. COOLING-OFF PERIOD (PARA 1A) WILL RECEIVE MOST HEADLINES BUT IS LEAST LIKELY OF THREE MAJOR REVISIONS TO BE ADHERED TO. THAI WORKERS UP TT NOW HAVE IGNORED COOLING-OFF PROVISION OF LABOR LAW, AND EVEN SUBSTANTIAL REDUCTION IN WAITING TIME REPRESENTED BY NEW REVISION NOT LIKELY TO CHANGE ESSENTIALLY WILDCAT NATURE OF STRIKES IN THAILAND. HOWEVER, RTG ANNOUNCEMENT MAY, IN SHORT TERM AT LEAST, ACHIEVE DESIRED EFFECT OF REDUCING SCALE OF CURRENT LABOR UNREST.

5. LABOR LAW REVISIONS APPEAR TO BE CULMINATION OF WORK OF TWO MONTHS' DURATION OF LABOR-MANAGEMENT-GOVERNMENT COMMITTEE. COOLING-OFF PERIOD PROVISION APPEARS TO BE CONCESSION TO MANAGEMENT, PARTICULARLY SINCE IT IS ACCOMPANIED BY RTG PROMISE TO WARN, THEN PENALIZE, STRIKERS WHO DON'T COMPLY. RTG CAPACITY TO CARRY OUT IS PROVISION IN DOUBT, BUT MANAGEMENT EXPECTED TO PUSH HARD IF RTG APPEARS TO BE SLOUGHING LIMITED OFFICIAL USE

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OFF ITS RESPONSIBILITY IN THIS AREA.

6. DESPITE EXPECTATION THAT SANYA HIMSELF WOULD MAKE ANNOUNCEMENT OF LABOR LAW REVISION ON NATIONAL TV, IT WAS LEFT TO MINISTER OF INTERIOR TO DO SO. PRESUMABLY, PM CAN THUS AVOID LOSS OF FACE IF ANNOUNCEMENT DOES NOT HAVE DESIRED EFFECT OF REDUCING LABOR UNREST OR RTG (I.E. INTERIOR MINISTRY) PROVES INCAPABLE OF ENFORCING

NEW REVISIONS. ALSO, PM CAN BE GROUGHT UP LATER AS
BIGGER GUN IF SITUATION DETERIORATES FURTHER.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR LAW, PRESS COMMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: martinml
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BANGKO13849
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740236-0687
From: BANGKOK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740816/aaaaanie.tel
Line Count: 119
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: martinml
Review Comment: n/a
Review Content Flags:
Review Date: 12 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12-Aug-2002 by izenbei0>; APPROVED <05 MAR 2003 by martinml>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LABOR LAW REVISIONS FOLLOWING TEL SENT ACTION IMMEDIATE BANGKOK FM CHIANG MAI
TAGS: ELAB, TH
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005